

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MIRIAM FULD, et al.,

Plaintiffs,

-against-

THE PALESTINE LIBERATION
ORGANIZATION and THE PALESTINIAN
AUTHORITY,

Defendants.

Case No.: 20-cv-3374

DECLARATION OF TAREQ MUSTAFA

Tareq Mustafa declares the following pursuant to 28 U.S.C. § 1746:

1. My name is Tareq Mustafa. I live in Ramallah , Palestine, and I am employed as the Director General of the Budget Department at the Palestinian Authority's Ministry of Finance.
2. I submit this Declaration in support of the motion to dismiss the Complaint filed by the Defendants, the Palestine Liberation Organization ("PLO") and the Palestinian Authority ("PA"), in the above-captioned action.
3. I am familiar with the facts set forth herein based on my work history and experience at the Ministry of Finance, as well as my review of relevant PLO and PA records and publicly available information, and on that basis believe them to be true and correct.
4. Because English is not my native language, I have received assistance from Defendants' U.S. legal counsel in the correct English phrasing of some of the concepts discussed in this Declaration. However, all of the facts set forth in this Declaration are true and correct to the best of my knowledge.
5. I have reviewed the PA and PLO records relating to payments made to Palestinians who are detained or incarcerated by Israel and/or their families or designees. Based on my review, payments to Khalil Yusef Ali Jabarin ("Jabarin") and/or his family have been blocked as of September 2018, which is when, as alleged in paragraph 29 of the Complaint filed in this action, Jabarin was taken into Israeli police custody.
6. In light of the above, no payments were initially made to Jabarin or his family. However, due to human error, one payment, in the amount of 1,400 NIS (approximately \$400 USD), was transferred to the mother of Jabarin in October 2019.

7. Upon discovery of the error by the Ministry of Finance, steps were immediately taken to rectify the error, and all further payments were blocked. Accordingly, Defendants have made no payments to Jabarin or his family or designees other than the one payment of 1,400 NIS in October 2019.

8. I have reviewed the statement in paragraph 3 of the Complaint that “defendants Palestinian Authority and Palestinian Liberation Organization are deemed to have consented to personal jurisdiction by making payments 120 days after the enactment of the Promoting Security and Justice for Victims of Terrorism Act of 2019 to the family of Khalil Yusef Ali Jabarin”. This is not true. As noted above, only one payment was mistakenly made to the mother of Khalil Jabarin, in October 2019. Defendants have not made any payments to Jabarin or to the family or designees of Jabarin subsequent to the enactment of the PSJVTa.

9. I have reviewed the statements attributed to Palestinian Prisoner Affairs Commission spokesperson Hassan Abed Rabbo in paragraph 29 of the Complaint, and have conducted an investigation regarding these statements. Based on my investigation, Mr. Abed Rabbo’s forward-looking statements that the Jabarin family would be eligible to receive future payments, and that such payments could increase if Jabarin remained in prison for several years, sought to disclaim certain inaccurate media reports that the PA had already made payments to the Jabarin family. Moreover, Mr. Abed Rabbo’s statements were about the law in general terms, and did not take into account the blocking of payments to Jabarin and/or his family.

10. I understand that this Declaration is not intended to waive any of the Defendants’ privileges, immunities, objections, or defenses in this action, including but not limited to jurisdictional objections and defenses, all of which are reserved.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.s

Executed in Amman, Palestine, on the 4 day of August, 2020.


Tareq Mustafa